### **PATENT**

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Application No.: 10/575,745 Confirmation No.: 2559 Filing Date: April 10, 2006 First Named Inventor: Yigal M. Pinto

Title: METHOD FOR

IDENTIFYING A SUBJECT AT RISK OF DEVELOPING HEART FAILURE BY DETERMINING THE LEVEL OF GALECTIN-3 OR THROMBOSPONDIN-2 Examiner: Unknown
Art Unit: Unknown
Atty. Dkt. No: 6049-00100

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

6 10

DATE OF DEPOSIT:

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail on the date indicated above and is addressed to:

Commissioner for Patents Alexandria, VA 22313

# RESPONSE TO NOTICE OF DEFECTIVE RESPONSE

MS: PCT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Applicant received a Notification of Defective Response (hereinafter "Notice") on May 17, 2007. A copy of the Notification of Defective Response is enclosed. The Notice states "the Oath or declaration of the inventors, does not comply with 37 CRF 1.497(a) and (b) in that it: is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68." Applicant respectfully disagrees.

A fully executed declaration was received by the PTO on April 9, 2007 as indicated on the enclosed copy of the returned postcard (Exhibit A). To expedite prosecution, however, another copy of the fully executed declaration is enclosed.

Yigal M. Pinto. 10/575,745

Since the surcharge fee for the submission of a declaration (Fee Code 1617, \$130.00) was charged to the Meyertons, Hood, Kivlin, Kowert, & Goetzel deposit account on April 12, 2007, as indicated on the appropriate portion of the Meyertons, Hood, Kivlin, Kowert, & Goetzel deposit account (Exhibit B), it is believed that no fees are due for the submission of another copy of the declaration.

If any extension of time is required, Applicant hereby respectfully requests the appropriate extension of time. If any additional fees are due, the Commissioner is hereby authorized to deduct said fees from Meyertons, Hood, Kivlin, Kowert & Goetzel Deposit Account No. 50-1505/6049-00100/EBM.

Respectfully submitted,

Mark R. DeLuca Reg. No. 44,649

Patent Agent for Applicant

MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C. P.O. BOX 398

I.O. BOX 336

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(512) 853-8800 (voice)

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Date: 7/6/07

#### COMMISSIONER FOR PATENTS

IAP12 Rec'd PCT/PTO 0 9 APR 2007

INVENTOR(S):

Yigal M. Pinto

ASSIGNEE:

Universiteit Maastricht

SERIAL NO.: FILING DATE:

10/575,745 April 10, 2006

TITLE:

METHOD FOR IDENTIFYING A SUBJECT AT RISK OF DEVELOPING HEART FAILURE BY DETERMINING

THE LEVEL OF CALECTIN-3 OR THROMBOSPONDIN-2

ATTY. DOCKET: 6049-00100/EBM

The date stamp of the mail room of the U.S. Patent and Trademark Office hereon will acknowledge receipt of the attached: (1) Response to Notification of Missing Requirements (2) pages); (2) Copy of Response to Notification of Missing Requirements (2 pages); (3) Originally executed Declaration (2 pages); (4) Form FTO-1595 Assignment Recordation Cover Sheet (1 page); (5) Copy of originally executed Assignment (2 pages); (6) Originally executed Election Under 37 C.F.R. §§ 3.71 and 3.73 and Power of Attorney (2 pages); (7) A Fee Authorization in the amount of \$1,170.00 for fees (2 pages); (8) A return postcard.

EBM:jlp

Via Express Mail No. EV424918853US





# **Deposit Account Statement**

**Requested Statement** 

Month:

April 2007

**Deposit Account Number:** 

501505

Name:

MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL.

P.C.

Attention:

**ACCOUNTS PAYABLE** 

Street Address 1:

700 LAVACA

**Street Address 2:** 

SUITE 800

City:

**AUSTIN** 

State:

TX

Zip:

78701

Country:

UNITED STATES

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
04/02	1379	11694290	6034-03900	1011	\$300.00	\$89,595.02
04/02	1380	11694290	6034-03900	1111	\$500.00	\$89,095.02
04/02	1381	11694290	6034-03900	1311	\$200.00	\$88,895.02
04/02	1382	11694290	6034-03900	1202	\$1,000.00	\$87,895.02
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04/13	149/	11577165	D103201WOUS	1633	\$200.00	\$90,311.22
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04/13	88	11786304	5991-00801	2311	\$100.00	\$86,581.22
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04/13	84	11655744	5957-80005	1205	\$1,100.00	\$83,801.22
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04/13	63	E- REPLENISHMENT		9203	<b>\$20,000.00</b>	\$100,361.22
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04/13		1065068		6205	\$100.00	\$99,936.22
04/13	139	1065068		6201	\$400.00	\$99,536.22



## United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCI United States Patent and Trademark Office Address COMMISSIONER FOR PATENTS P.O. Box 1430 Alexandria, Veginia 22313-1450

					www.uspto.gov	
U.S. APPLICATION NUMBER	NO.	I	IRST NAM	MED APPLICANT	ATT	Y. DOCKET NO.
10/575,745			Yiga	M. Pinto	6	04-00100
					INTERNATIONAL AP	PLICATION NO.
					PCT/EP04	/10879
35690					I.A. FILING DATE	PRIORITY DATE
MEYERTONS, HOOD, KIVLI	N, KOWER	T & GOETŹ	EL, P.C	•	09/27/2004	10/09/2003
P.O. BOX 398	1: ** !'					
AUSTIN, TX 78767-0398		MAY 17	2007		CONFIRM 371 FORMALITIES I *OC0000000023839144*	
Date Mailed: 05/14/2007	. a second of the second			gar ay ahagang saar da ar dana da		

### NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

- Priority Document
- Copy of the International Application filed on 04/10/2006
- Copy of the International Search Report filed on 04/10/2006
- Copy of IPE Report filed on 04/10/2006
- Copy of Annexes to the IPER filed on 04/10/2006
- Oath or Declaration filed on 04/09/2007
- U.S. Basic National Fees filed on 04/10/2006
- Priority Documents filed on 04/10/2006

Atty Dkt#: 68W Atty 6049-00100
Action 30 Day   IMO. U 2 Mo. U 3 Mo. U 10/10
Advey Action   FR   MParte   IDS   Ntc of Abn   Assignmt   Interv Smmry   Corr Cert   Appeal Brf
Transf In Transf Out NOA Drwgs 165 Fee 1
Due Date: 6.14.01 Other: Docketed: 9.17.07 By:
Docketed: Dy:

Applicant's response filed 04/09/2007 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 02/09/2007 have not been completed.

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$360 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$490 for a Large Entity:

• \$130 Surcharge.

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

Total additional claim fee(s) for this application is \$ 360

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web. <a href="https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html">https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html</a>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <a href="http://www.uspto.gov/ebc.">http://www.uspto.gov/ebc.</a>

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

TERRY M JOHNSON VESSELS

Telephone: (703) 308-9140 EXT 221

#### PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.		INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.	
	10/575.745	PCT/EP04/10879	604-00100	

FORM PCT/DO/EO/916 (371 Formalities Notice)